

United States District Court

EASTERN

DISTRICT OF

TENNESSEE

SIDDARTH SHAH and DAKSHA SHAH
d/b/a YERA'S RACEWAY

JUDGMENT IN A CIVIL CASE

V.

RACETRAC PETROLEUM COMPANY

CASE NUMBER: 3:99-CV-410

[X] **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[X] **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the jury finds in favor of plaintiffs, SIDDARTH SHAH and DAKSHA SHAH d/b/a YERA'S RACEWAY, pursuant to their claims for: (1) promissory estoppel; (2) breach of contract as orally modified; and (3) violations of the Tennessee Consumer Protection Act (TCPA), Tenn. Code Ann. § 47-18-109. The jury further determined that the plaintiffs suffered identical damages of FIFTY THOUSAND, FOUR HUNDRED FIFTY-SIX DOLLARS (\$50,456.00) under each of these claims. Finally, the jury returned a verdict in favor of defendant, RACETRAC PETROLEUM COMPANY, on its counterclaim for conversion in the requested amount of EIGHT THOUSAND, SIX HUNDRED FORTY-FIVE AND 75/100THS DOLLARS (\$8,645.75).

IT IS FURTHER ORDERED AND ADJUDGED that it is the decision of the court to grant plaintiffs' motion to treble the jury's verdict to the extent that the jury's award of \$50,456.00 will be doubled to ONE HUNDRED THOUSAND, NINE HUNDRED TWELVE DOLLARS (\$100,912.00). Additionally, plaintiffs are awarded attorney fees and costs in the amount of TWO HUNDRED TWENTY-ONE THOUSAND, EIGHT HUNDRED FOUR AND 85/100THS DOLLARS (\$221,804.85). It is further ordered that the judgment be offset by the jury's verdict in favor of defendant on its counterclaim for conversion in the amount of EIGHT THOUSAND SIX HUNDRED FORTY-FIVE AND 75/100THS DOLLARS (\$8,645.75) for a total judgment of THREE HUNDRED FOURTEEN THOUSAND, SEVENTY-ONE AND 10/100THS DOLLARS (\$314,071.10), with interest thereon at a rate of 3.97% as provided by law. Finally, defendant's motion for judgment as a matter of law or, alternatively, to amend the judgment or for a new trial is denied in its entirety.

October 5, 2005

Patricia L. McNutt, Clerk

Date

By s/Donna Jemley, Deputy Clerk